

## **INSERT FOR PAGE 111, LINE 2727**

There are three initiatives in the Commissioner's Hearing Backlog Reduction Plan that involve processing some hearing requests without a full hearing. The DDS Informal Remand Initiative, the Senior Attorney Adjudicator Initiative, and Medical Expert Screening Initiative are all designed to identify cases which have sufficient medical evidence to support a fully favorable decision. By expediting these cases, we can provide claimants with fully favorable decisions more quickly by eliminating the time that would be involved waiting for a hearing.

- **DDS Informal Remand Initiative**

- The DDS informal remand initiative was developed to increase ODAR's adjudicatory capacity and to reduce the paper case backlog by having DDSs look at re-opening certain cases based on scoring profiles established by the Office of Quality Performance (OQP). Using overtime, DDSs review cases, and if they are able to make a fully favorable determination, cases are returned to the SSA field offices for adjudication. If the claimant does not contact the Agency within 30 days of the date of the DDS notice of revised determination to pursue the hearing, ODAR dismisses the request for hearing. If the DDS is unable to make a fully favorable determination, the case is fully developed by the DDS (when possible) and the case is returned to ODAR. ODAR moves these developed cases to the front of the queue for scheduling.
- Starting in July 2007, the DDSs agreed to review approximately 20,000 cases. By the end of FY 2007, DDSs had reviewed more than 16,000 cases and made favorable decisions on 8,714 cases for a reversal rate of 35%. Through the first half of FY 2008, the DDSs have reversed an additional 1,048 cases from FY 2007, bringing the total to 9,762. Thus far in FY 08, the DDSs have accepted over 27,000 cases. By the end of March 2008, DDSs had reviewed over 20,000 of these cases and made more than 7,000 favorable decisions for a reversal rate of 35%. The DDS Informal Remand Initiative was initially developed to deal with the large backlog of paper cases. Based on its continued success, ODAR anticipates expanding the informal remand initiative to electronic folders as the DDSs gain the functionality which will allow them to do this.

- **Senior Attorney Adjudicator Initiative**

- The purpose of this initiative is to allow certain Attorney Advisors to issue fully favorable on-the-record decisions to expedite the decisions and conserve Administrative Law Judge (ALJ) resources for the more complex cases and cases that require a hearing. The interim final rule which provided adjudicatory authority was published in the *Federal Register* on August 9, 2007. ODAR developed the business process for this initiative as well as a new simplified Findings Integrated Template (FIT) for fully favorable decisions. The initiative

was implemented on November 1, 2007, and can be used for electronic cases and paper cases. Hearing offices use the profiles developed by OQP and screening tools that have been developed locally to identify cases that are likely to result in fully favorable decisions. These cases are then assigned to an Attorney Adjudicator for review. If evidence in the file supports a fully favorable decision, the Attorney Adjudicator will draft a favorable decision and adjudicate the case. When the claimant is notified of the fully favorable decision, he/she is also notified that he/she has 30 days to request a hearing. If the claimant does not request a hearing in that time period, ODAR issues an Order of Dismissal. If the evidence in file does not support a fully favorable decision, the Attorney Adjudicator will complete a worksheet to summarize the issues in the case, state the reason the case does not qualify for an on-the-record decision and indicate the additional development that is needed prior to a hearing. From November 1, 2007 through April 25, 2008, Attorney Adjudicators have made favorable decisions on 12,199 cases.

- Medical Expert (ME) Screening

- This initiative was implemented to identify disability claimants whose impairments are most likely to meet the requirements for disability, through the use of a pre-hearing interrogatory. Prior to assignment to an ALJ, hearing offices use the profiles developed by OQP and screening tools that have been developed locally to identify cases that are likely to result in fully favorable decisions. An ME is asked to complete a brief set of interrogatories. If the case can be allowed on the record, the case is routed to an Attorney Adjudicator for review and decision. For cases that cannot be allowed, the ME's response is included in the record and the case routed to an ALJ for normal processing. ODAR implemented this initiative on March 14, 2008 and is currently collecting data on the number of favorable decisions that are being made as a result of this initiative.